

## **REMARKS**

### **Objection to the Specification**

The examiner objected to the specification, stating the blank spaces on page 1 must be filled/updated with current information. The paragraph in question is amended herein to fill in the appropriate serial number and filing date of the related application.

### **Rejection of claims 15 and 21 under 35 U.S.C. §101**

The examiner rejected claims 15 and 21 under 35 U.S.C. §101 as not meeting the utility requirement. Claims 15 and 21 have been amended herein to recite “a computer readable program product” as suggested by the examiner.

### **Rejection of claims 15-25 under 35 U.S.C. §112, second paragraph**

The examiner rejected claims 15-25 under 35 U.S.C. §112, second paragraph. Claims 15 and 21 have been amended to recite recordable media, and claims 16-18 and 22-23 have been cancelled, as suggested by the examiner. In addition, claims 15 and 21 have been amended to recite “at least one of a plurality of slack computations”, and claims 19 and 25 have been amended to recite “the at least one slack computation.” Applicants respectfully assert that the amendments to the claims herein overcome the examiner’s rejection of claims 15-25 under 35 U.S.C. §112, second paragraph.

Rejection of claims 1-8 and 15-25 under obviousness-type double patenting

Claims 1-8 and 15-25 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 14, 18-21 and 24-25 of copending application number 10/777,262. A terminal disclaimer is filed herewith to overcome this rejection.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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